

REMARKS

Reconsideration is respectfully requested. Claims 1, 8, 14 and 15 are amended herein.

Claims 1-4, 8, 9, 14 and 15 are rejected under 35 USC §103(a) as allegedly being unpatentable over Zilliacus et al (US 6832230) and further in view of O'Brien et al (US 6985927).

Applicant respectfully traverses.

As discussed in prior communications, the first cited document, Zilliacus et al, discloses downloading of software (or an application) from an application database 120 via a downloading server 118 (column 5, line 6-9). The downloading server 118 may seem equivalent to the software sales site as in Applicant's claims, however, the server and its operation are distinguishable from applicant's in that it should be noted that software requested in Zilliacus et al from the mobile terminal 110, 210, or via the PC is directly downloaded into the device that issued the request (column 6, lines 4-17), whether that device was the mobile terminal or the PC, for example.

Therefore, there are no uniquely dedicated storage areas for users found in the teaching of Zilliacus et al, notwithstanding the Examiner's indication at item 4 in page 2 of the office action. Zilliacus et al simply do not teach this.

Regarding the newly cited reference document, O'Brien et al, it teaches an "Internet hard disk" or "Internet hard drive" to

provide online storage and retrieval resources for users (column 1, lines 31-33). This seems to show that a dedicated storage area for each user is provided in a server on the Internet. The dedicated storage area serves to save data therein that was requested with a URL designated from the user (column 18, lines 46-52; column 19, lines 10-29; Fig. 11).

While the "save" function of O'Brien et al may appear to be similar to the present disclosure in that data on an Internet site is not directly downloaded into a user terminal, but instead, the data is stored in the user dedicated storage area (My Xdrive system 1100), such that the data is later available to the user from the user terminal accessing the user's dedicated storage area, it is distinguishable from applicant's claims. This distinguishing difference is because in O'Brien et al, a user issues a request with an URL to "My Xdrive system" 1100 (corresponding to the storage server in Applicant's invention) so as to cause the "My Xdrive system" to access the web site with the URL designated from the user. In contrast, in Applicant's claims, the data terminal of a user directly accesses a software sales site to make a purchase-request of software so as to cause the software sales site to transfer the software to the user's dedicated storage area in the storage server.

There are no suggestions or motivations found to combine Zilliacus et al with O'Brien et al because the web site designated with the URL in O'Brien et al does not seem to be a

sales site because it is unknown how software items are selected and purchased from the "My Xdrive system". It appears that the URL directly designates data to be downloaded.

To further clarify applicant's claims to illustrate the difference, claim 1 is amended to include:

causing a software sales site on the network to receive an access directly from one of the portable data terminals so as to allow a user of said one of the portable data terminals to make a purchase-request of software;

storing the software, which was purchase-requested at the software sales site by said one of the users from a portable data terminal of said one of the users

Claim 8 as amended includes:

means for receiving software, which is purchase-requested directly to a software sales site by one of the users from a portable data terminal of said one of the users

Claim 14 as amended recites:

receiving, according to said purchase request, identification information of the purchase-requested software at a site of said storage server such that said identification information is stored into said one of the dedicated storage areas uniquely allocated to said one of the users.

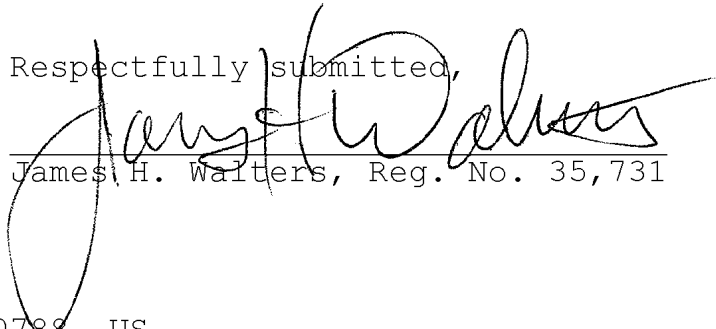
It is respectfully submitted that the Zilliacus et al and O'Brien et al documents, whether considered alone or combined, neither teach nor suggest applicant's claims.

In view of the above, applicant respectfully believes that all the claim rejections under 35 USC 103 should be withdrawn.

It is believed that all necessary fees have been paid with the filing of this response. However, if additional fees are required to keep the application pending, or if refund is owed, please charge/refund deposit account 503036.

In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to contact applicant's attorney at 503-224-0115 if there are any questions.

Respectfully submitted,


James H. Walters, Reg. No. 35,731

Customer number 00802
patenttm.us
P.O. Box 82788
Portland, Oregon 97282-0788 US
(503) 224-0115
DOCKET: Y-201

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